

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30/01/2003

Coram

The Honourable Mr. B. SUBHASHAN REDDY, Chief Justice
and

The Honourable Mr. Justice MALAI. SUBRAMANIAN

W.P. No.38075 of 2002

and

W.P.M.P. Nos.57056 and 57057 of 2002

1. A. Pachamuthu
2. K. Angurasan
3. T. Gunasekaran
4. S. Narayanan
5. R. Shanmugan
6. R. Gunasekaran
7. D. Ramadoss
8. N. Anandamoorthy
9. T. Murugesan
10. I. Palaniappan
11. V. Samikannu
12. A. Murugesan ... Petitioners

-Vs-

1.The Government of Tamil Nadu
rep. by the Secretary,
Public Works Department,
Fort St. George,
CHENNAI - 600 009.

2.The District Collector,
Tiruchirapalli.

3.The Director,
Town Panchayat (Admn.)
Ezhilagam, Chennai - 5.

4.The Assistant Director,
Town Panchayat (Admn.)
Collector Office,
Tiruchirapalli - 1.

5.The Executive Officer,
Thiruverambur Town Panchayat Office,
Tiruchirapalli - 13.

6.The Executive Engineer,
River Channel Protection Division,
Public Works Department,
Tiruchirapalli - 1.

7.The Director,
Adi Dravidar Welfare Department,
Ezhilagam, Chennai - 5. ... Respondents

Petition under Article 226 of the Constitution of India praying for
the issuance of Writ of Mandamus for the reasons stated therein.

For Petitioners : Mr. G. Rajan

For Respondents 1 to 4, 6 and 7 : Mr. V. Raghupathi,
Govt. Pleader

For 5th Respondent : Mr. V. Subharayan

:O R D E R

(The Order of the Court was made by the Honourable the Chief Justice)

At the interlocutory stage and at the request of both the learned counsel, we
dispose of the writ petition itself.

2. This is a pro bono publico seeking restraint on dumping of any waste
material or garbage in Koothaipar Big Lake situated in Koothaipar village and
Tiruverambur village of Trichy District.

3. Counter has been filed stating that the lake is not situated
in the survey number stated in the writ petition but anyhow admitting that no
waste material or garbage will be dumped into the said lake or catchment area.

4. What is necessary is the protection of the lake and its
catchment area and not the survey numbers of the lands. We are not going into
the details as to whether the lake or the catchment area runs through some
survey numbers mentioned in the petition or not. While considering the matter
like this, the survey numbers do not assume any significance. Significance is
the maintenance of the lake, catchment area and the water for the purpose of
maintaining ecological and environmental benefits.

5. In the circumstances, we dispose of this Writ Petition
restraining the respondent from allowing any waste material or garbages or any
other thing to be dumped in either Koothaipur village and Tiruverambur village
of Trichy District or its ca rea. The writ petition is ordered accordingly.
Consequently, connected W.P.M.Ps. are closed.

(B.S.R., CJ) (M.S., J)

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Internet: Yes.

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